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12 UNITED STATES DISTRICT COURT

13 DISTRICT OF NEVADA

14 -\*-

15 THE BANK OF NEW YORK MELLON FKA  
16 THE BANK OF NEW YORK, AS TRUSTEE  
17 FOR THE CERTIFICATEHOLDERS  
18 CWABS, INC. ASSET-BACKED  
19 CERTIFICATES, SERIES 2006-6,

20 Plaintiff,  
21 vs.

22 STAR HILL HOMEOWNERS  
23 ASSOCIATION; SBW INVESTMENT, LLC;  
24 NEVADA ASSOCIATION SERVICES, INC.;  
25 and SFR INVESTMENTS POOL 1, LLC

26 Defendants.

27 CASE NO.: 2:16-cv-02561-RFB-PAL

28 **STIPULATION AND PROPOSED  
ORDER TO EXTEND DISCOVERY  
DEADLINES**

**(First Request)**

29 Plaintiff The Bank of New York fka The Bank of New York, as Trustee for the  
30 Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2006-6 (BNYM); and defendant  
31 SFR Investments Pool 1, LLC (SFR); and defendant Star Hill HOA (HOA), through their  
32 undersigned counsel of record, do hereby stipulate and agree that the current discovery cutoff date of  
33 March 18, 2019 be continued for a period of four (4) days up and including March 22, 2019 as  
34 follows:

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1                   **A. DISCOVERY COMPLETED:**

2                   **1. Initial Disclosures:**

3                   Plaintiff served their initial disclosures on Plaintiff on December 14, 2017; Plaintiff has  
4 subsequently served various supplements to its initial disclosures

5                   Defendant SFR served Initial Disclosures on February 12, 2018; Defendant SFR has  
6 subsequently served various supplements to its initial disclosures;

7                   Defendant Star Hills served its initial disclosures on Defendants on March 18, 2019.

8                   Defendant Nevada Association Services has not appeared.

9                   **2. Written Discovery:**

10                  Plaintiff has served its Requests for Interrogatories, its Requests for Production of  
11 Documents, and Requests for Admissions to Defendants.

12                  Defendants have served their answers to Plaintiff's Requests for Interrogatories, its Requests  
13 for Production of Documents, and Requests for Admissions.

14                  Defendant SFR has served its Requests for Interrogatories, its Requests for Production of  
15 Documents, and Requests for Admissions to Plaintiff; Plaintiff has answered accordingly.

16                  **3. Depositions**

17                  Plaintiff has noticed and taken the depositions of NAS and SFR Investments.

18                  SFR Investments has noticed and taken the deposition of Plaintiff.

19                  Plaintiff also noticed the deposition of Star Hills HOA for March 18, 2019, however, due to a  
20 last minute conflict on the part of Star Hills HOA's representative, the deposition was not take. The  
21 parties have agreed to take the HOA's deposition on March 22, 2019.

22                  **B. STATEMENT SPECIFYING THE DISCOVERY THAT REMAINS TO BE  
23                    COMPLETED.**

24                  Plaintiff seeks to take the deposition of Star Hills HOA on March 22, 2019.

25                  Additional discovery based upon information discovered in deposition may be necessary.

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1           **C. THE REASONS WHY DISCOVERY WAS NOT COMPLETED WITHIN  
2           THE TIME LIMITS SET BY THE DISCOVERY PLAN.**

3           The discovery delay was caused by a last minute conflict on the part of Star Hills HOA's  
4           representative. With discovery continuing, Plaintiff and Defendants have conferred and agreed to  
5           take the remaining deposition of Star Hills HOA on March 22, 2019.

6           **D. GOOD CAUSE EXISTS TO EXTEND THE DISCOVERY DEADLINE.**

7           Local Rule 26-4 requires that any stipulation made to extend discovery made within 21 days  
8           of the deadline must be supported by good cause. The good cause standard under LR 26-4 is the  
9           same as the good cause standard under Fed. R. Civ. P. 16(b)(4). *Winfeld v. Wal-mart Stores, Inc.*,  
10           2:14-cv-01034-MMD-CWH, 2016 WL 3360658, at \*1 (D. Nev. Jun. 9, 2016). "Good cause to  
11           extend a discovery deadline exists 'if it cannot reasonably be met despite the diligence of the  
12           part[ies] seeking extension.'" *Nunez v. Harper*, 2:13-CV-0392-GMN-NJK, 2014 WL 2808985, at \*2  
13           (D. Nev. June 20, 2014) (quoting *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th  
14           Cir. 1992)).

15           Good cause exists to extend the discovery period by four days. The discovery delay was  
16           caused by a last minute, unavoidable conflict on the part of Star Hills HOA's representative. With  
17           discovery continuing, Plaintiff and Defendants have conferred and agreed to take the remaining  
18           deposition of Star Hills HOA on March 22, 2019. Accordingly, good cause exists to grant the  
19           extension of discovery.

20           **E. PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING  
21           DISCOVERY:**

22           **1. Discovery Cut-Off**

23           The discovery cut-off shall be extended from March 18, 2019 to March 22, 2019 for the  
24           limited purpose of taking the deposition of the 30(b)(6) witness for Star Hills HOA .

25           **2. Amending the Pleadings and Adding Parties**

26           The deadline to amend the pleadings and parties has closed. No such request to amend the  
27           pleadings or add parties is requested

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### 3. Expert Disclosure

The deadline to name initial experts disclosures has closed. No such request to name experts is requested.

## 4. Dispositive Motions

In accordance with Local Rule 26-1(e)(4), the last day for filing dispositive motions including, but not limited to motions for summary judgement, shall be extended from April 18, 2019 to April 25, 2019.

## 5. Pre-Trial Order

In accordance with Local Rule 26-1(e)(5), the last day to file a Joint Pre-Trial Order, including any disclosures pursuant to FRCP 26(a)(3), shall be extended from May 18, 2019 to May 28, 2019 (May 25 is a Saturday and May 27 is Memorial Day). In the event dispositive motions are filed, the date for filing the Joint Pre-Trial Order shall be suspended until thirty (30) days after the decision on the dispositive motions or upon further order by the Court extending the time period in which to file the Joint Pre-Trial Order.

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2       **6. Trial and Calendar Call**  
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No trial has been set in this matter.

3       **IT IS SO STIPULATED.**  
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	AKERMAN LLP  <u>/s/ Rex. D. Garner , Esq.</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276 REX D. GARNER, ESQ. Nevada Bar No. 9401 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144 <i>Attorneys for Plaintiff The Bank of New York fka The Bank of New York, as Trustee for the Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2006-6</i>	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	KIM GILBERT EBON  <u>/s/ Diana S. Ebron, Esq.</u> JACQUELINE A. GILBERT, ESQ. Nevada Bar. No. 10593 DIANA S. EBON, ESQ. Nevada Bar No. 10580 KAREN L. HANKS, ESQ. Nevada Bar No. 9578 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139 <i>Attorneys for Defendant SFR Investments Pool 1, LLC</i>
			ALVERSON TAYLOR & SANDERS  <u>/s/ Adam R. Knecht, Esq.</u> KURT R. BONDS, ESQ. Nevada Bar No. 6228 ADAM R. KNECHT, ESQ. Nevada Bar No. 13166 7401 W. Charleston Blvd Las Vegas, Nevada 89117 <i>Attorneys for Defendant Star Hill HOA</i>

21       **ORDER**  
22

IT IS SO ORDERED.

23  
24         
25       UNITED STATES MAGISTRATE JUDGE

26       DATED: March 22, 2019  
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